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January 30, 2024

**VIA ECF**

Hon. Miroslav Lovric  
U.S. Magistrate Judge  
U.S. District Court  
Northern District of New York  
Binghamton U.S. Courthouse  
15 Henry St.  
Binghamton, NY 13901

**Re: *Honeywell Int'l Inc. v. Buckeye Partners, L.P. et al.*, Case No. 5:18-cv-00646-FJS-ML; *Honeywell Int'l Inc. v. Energy Transfer (R&M), LLC*, No. 5:18-CV-1176 (FJS/ML); *Honeywell Int'l Inc. v. CITGO Petroleum Corp.*, No. 5:19-CV-1219 (FJS/ML) (consolidated)**

Dear Judge Lovric,

On April 21, 2023, your Honor entered a Text Order setting forth deadlines for, among other things, Affirmative Expert Reports. ECF No. 352. Under that Text Order, the deadline for Honeywell International Inc. ("Honeywell") to serve its Affirmative Expert Reports is February 8, 2024.

Unfortunately, we have recently learned that one of Honeywell's environmental experts, Dr. Damian Shea, is experiencing a serious medical emergency and will be unable to finalize his report in advance of the current deadline. Accordingly, Honeywell respectfully requests an additional thirty days to serve Dr. Shea's report as well as the reports of three related experts whose reports will reference, and rely upon, Dr. Shea's findings.

We acknowledge that ETC Sunoco Holdings LLC and Energy Transfer (R&M), LLC (collectively, "Sunoco") and CITGO Petroleum Corporation ("CITGO") requested an extension of the discovery deadlines yesterday, ECF No. 371, and that Honeywell's requested extension herein would be unnecessary should the Court grant Sunoco and CITGO's motion. Although Honeywell did not join Sunoco and CITGO's motion, Honeywell does not oppose it.

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However, we are seeking relief from the current deadline for certain expert reports in the event that the Court declines to grant Sunoco and CITGO's request. The relevant deadlines in the current schedule are as follows:

February 8, 2024	Honeywell serves its Affirmative Expert Reports.
April 8, 2024	Buckeye, CITGO, and Sunoco serve their Responsive Expert Reports; Buckeye serves its Affirmative Expert Reports for First and Second Third Party complaints.
May 8, 2024	First and Second Third Parties serve their Responsive Expert Reports.

As the Court is aware, Buckeye and Honeywell are finalizing paperwork for a resolution that will remove Buckeye and the Third Parties from the matter. Accordingly, Honeywell respectfully requests a thirty-day extension to certain deadlines in the current case management schedule, as set forth below. The minor adjustment to the schedule set forth below would not result in an extension or modification to the remaining expert discovery schedule should the current deadlines remain in effect.

February 8, 2024	Honeywell serves its Affirmative Expert Reports, <u>except</u> Shea and three related experts.
March 8, 2024	Honeywell serves its Affirmative Expert Reports from Shea and three related experts.
April 8, 2024	CITGO and Sunoco serve their Responsive Expert Reports, except to Shea and three related experts.
May 8, 2024	CITGO, and Sunoco serve their Responsive Expert Reports to Shea and three related experts.

We are discussing this request with counsel for Sunoco and CITGO, but we wanted to alert the Court of these exigent circumstances as soon as possible. We thank you in advance for your consideration of Honeywell's request.



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Sincerely,

/s/ Brian D. Israel  
Brian D. Israel